



Borough Council of King's Lynn and West Norfolk

Local Plan Review 2016-2036

Statement of Common Ground between the
Homes England and Borough Council of King's
Lynn and West Norfolk

28 March 2022~~03 March 2022~~

Introduction to the Statement of Common Ground

The National Planning Policy Framework (NPPF) requires development plan documents to be prepared, on the basis of effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred (paragraph 35). The NPPF proposes the preparation of Statements of Common Ground (SoCGs) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant bodies. Further information is provided in the Planning Practice Guidance ([Chapter on Maintaining Effective Cooperation](#)).

SoCGs should be produced, published and kept up to date by the signatory authorities as an accessible and public record of where agreements have or have not been reached on cross boundary strategic issues. The purpose of the SoCG is to document the cross-boundary matters being addressed and progress in cooperating to address them. It is the means by which authorities can demonstrate that their plans are based on effective and ongoing cooperation and that they have sought to produce strategies that as far as possible are based on agreements with other authorities.

For the County of Norfolk, the Norfolk Strategic Planning Framework (NSPF) was prepared as a formal SoCG for Norfolk planning authorities. Most strategic planning matters were resolved during preparation of the Local Plan (2017-21) and are highlighted in both the NSPF and Duty to Cooperate (DtC) Statement (May 2021). Further details are set out in the main SoCG document, below.

Nevertheless, a small number of matters remained unresolved, by the time the Local Plan Review was approved by the Council for consultation and submission to the Secretary of State (8th July 2021). This was reflected in representations received during the Pre-Submission Draft (Regulation 19) consultation; August/ September 2021¹.

In order to ensure compliance with the DtC and effectiveness tests, bespoke SoCGs are being prepared, for agreement between statutory (DtC) bodies and the Borough Council, where representations containing objections had been received through the Regulation 19 consultation. The SoCG form below provides a comprehensive explanation for the outstanding objections; the Borough Council's response to each of these and a proposed resolution for the parties to sign/ agree; and highlight those areas where agreement has not been possible. It is emphasised that the statutory DtC is not necessarily a duty to achieve full agreement on all matters.

Individual SoCGs have been produced for each of the relevant bodies.

¹ https://www.west-norfolk.gov.uk/info/20079/planning_policy_and_local_plan/902/local_plan_review_2016_to_2036

Statement of Common Ground between the Homes England and BCKLWN

1. Background to Statement of Common Ground (SoCG)

Since the launch of the Local Plan Review (autumn 2016), the Borough Council of King's Lynn and West Norfolk ("Borough Council"/ BCKLWN) has actively engaged with statutory bodies under the requirements of the statutory Duty to Cooperate (DtC) (Town and Country Planning (Local Planning) (England) Regulations 2012, Regulation 4²). Strategic issues identified through this process, together with the outcomes of ongoing engagement with the relevant consultation bodies, are highlighted and summarised in the DtC Statement, May 2021.

For local planning authorities within the County of Norfolk, the Norfolk Strategic Planning Framework (NSPF) has been prepared as a formal SoCG for Norfolk planning authorities. The latest version of the NSPF (May 2021)³ identifies 31 separate Formal Agreements and was endorsed by all stakeholder authorities in 2021. These 31 Agreements (for which the Borough Council is a signatory) allow plan-making across Norfolk to be coordinated, to the benefit of all partners.

The NSPF provides a strategic level SoCG covering Norfolk authorities. However, it does not address cross-boundary issues that extend beyond Norfolk; i.e. to the west and south of the Borough. Three principal matters are identified as going beyond the scope of the NSPF (Norfolk County boundary):

- *Green Infrastructure (GI) RAMS;*
- *Coastal Management; and*
- *Wisbech Fringe.*

2. Complying with the DtC, beyond May 2021

The Borough Council's DtC Statement and current NSPF were both agreed in May 2021; shortly prior to approval by the Full Council (8th July 2021) of the Local Plan Review for Pre-Submission Draft (Regulation 19) consultation and submission to the Secretary of State. However, a number of statutory consultees (DtC bodies) submitted representations through the Regulation 19 consultation. The following organisations submitted representations, each containing unresolved objections:

1. *Environment Agency*
2. *Historic England*
3. *Homes England*
4. *Natural England*
5. *Norfolk County Council – Highway Authority/ Lead Local Flood Authority (LLFA)*

² <https://www.legislation.gov.uk/ukxi/2012/767/regulation/4>

³ <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/norfolk-strategic-planning-member-forum>

The Marine Management Organisation (MMO) and National Highways (formerly Highways England) submitted supporting representations, raising no material objections to the published (Pre-Submission Draft) Local Plan Review. No Regulation 19 representations were received from any neighbouring local planning authorities:

- *County Councils – Cambridgeshire, Lincolnshire, Suffolk;*
- *District/ Borough Councils – Breckland, East Cambridgeshire, Fenland, North Norfolk, South Holland, West Suffolk.*

*On the basis that no Regulation 19 representations were received from adjacent local authorities, it is assumed that these bodies are satisfied that the NSPF and/ or May 2021 DtC statement represent the current position for each organisation. That is, that there are **no** unresolved strategic issues arising from the published Local Plan Review that affect any of these bodies.*

3. Function and role of the SoCG

Five SoCGs are being prepared; one for each of the statutory bodies that submitted representations containing objections. The SoCG summarises the outstanding objections and proposes a resolution to each that both parties can sign up to, in order to ensure the overall soundness of the Local Plan Review and allow it to proceed to submission.

The Homes England's representation was submitted on 17th September 2021. Representation, including the original (redacted) document, are published on the Borough Council's consultation portal⁴.

⁴ <https://west-norfolk-consult.objective.co.uk/kse/event/36371/peoplesubmissions/section/?consultation=s1625822757696>

4. Summary representation and Borough Council response/ resolution	
Summary representation	Borough Council response/ resolution
<p>Overall, Homes England considers that the LPR pre-submission document is:</p> <ul style="list-style-type: none"> • Legally compliant. • Complies with the duty to co-operate. • Sound. • Positively prepared. • Justified. • Effective. • Consistent with national policy. 	<p>Recognition of overall soundness of the Local Plan Review by Homes England is noted.</p>
<p>Windfalls make up a substantial proportion of the local planning authority's housing supply, but additional housing sites, such as Land to the West of Wisbech Road (omission site) should nevertheless be considered.</p>	<p>This represents a significant unresolved objection. The Borough Council's detailed response and potential resolution are set out at section 5 (below).</p>
5. Details re omission site, Land to the West of Wisbech Road (South Lynn) and Borough Council response/ resolution	
<p>Homes England has an interest in Land to the West of Wisbech Road (South Lynn). It is putting this forward as an omission site; details are as follows:</p> <ul style="list-style-type: none"> • Single 0.9 ha parcel of land, surrounded by built development on three sides • sustainable location with strong pedestrian links to the wider area and key local services, including local retail centres, education, and workplaces • Registered bus services operate along Wisbech Road, with the closest stop approximately 150m from the centre of the site <p>Principal constraint – site is located within flood zone 3, although it benefits from a flood defence following the River Great Ouse (specific mitigation).</p>	
<p>Borough Council response</p> <p>Homes England has not objected to the Local Plan Review on matters of soundness. Instead, Homes England has highlighted an additional potential (greenfield) site allocation, within the current King's Lynn (South Lynn) built up area. Given the status of the land in question (albeit a greenfield site) within the existing urban area, the current Local Plan (2011 Core Strategy and 2016 SADMP), nor the emerging replacement Local Plan Review preclude release of Land to the West of Wisbech Road (South Lynn), in which Homes England has an active interest. A previous pre-</p>	

application enquiry (December 2020) accepted the principle of residential development on the site.

Notwithstanding, the land in question would need to fulfil the flood risk national sequential and exceptions tests, to the satisfaction of the Environment Agency. To be delivered, these tests would need to be met, regardless of whether or not this site (situated within the current urban area) is allocated for development.

Resolution

Homes England has not objected to the Local Plan Review on matters of overall soundness. Instead, it has submitted a representation, putting forward an omission site that Homes England (the Government's housing delivery vehicle) has a current interest. On behalf of the Borough Council, it is accepted that this site (provided that constraints could be overcome) would represent an additional opportunity to increase the housing land supply within the King's Lynn urban area and for the Borough as a whole.

The overall spatial development strategy for King's Lynn is defined in the Local Plan Review as: 'the main centre, including retail, leisure and culture, and economic driver within the borough, a significant "engine of growth" and a sub-regional centre in the East of England' (Policy LP01(4)(a)). The Wisbech Road site, if successfully delivered, could contribute to this. However, release of the site is not necessitated by allocation of the site and the Plan does not preclude development.

Accordingly, no modifications to the Local Plan Review are considered necessary, in response to Homes England's representation there is no need for further modifications (focused changes) to the Local Plan Review in advance of submission. Matters such as additional and/ or alternative housing site allocations could be resolved post-submission, through the Main Modifications consultation (anticipated autumn 2022).

6. Signatories

Holland and Lloyd Thomas Lister, on behalf of Homes England

**[Signed by Principal Planner, on behalf of]
Geoff Hall
Executive Director, Environment and Planning
Borough Council of King's Lynn and West Norfolk**